

Notice of Allowability	Application No.	Applicant(s)	
	10/822,044	ERICKSON ET AL.	
	Examiner	Art Unit	
	Leo Boutsikaris	2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephonic interview on 8/16/06.
2. ☒ The allowed claim(s) is/are 1-11, 14-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

LEONIDAS BOUTSIKARIS
PRIMARY EXAMINER
 Leo Boutsikaris, Ph.D., J.D.
 Primary Patent Examiner, AU 2872
 8/17/2006

LB

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Joel Bock (Reg. No. 36,4560 on 8/16/2006).

The application has been amended as follows:

IN THE CLAIMS

Claim 1 is rewritten as follows:

1. A device for limiting the reproducibility of information, comprising:

a substrate; and

a holographic element coupled to the substrate, the holographic element including within a planar area defined by the holographic element a first set of optical information in a first coded pattern and including within one or more portions of the planar area defined by the holographic element a second set of optical information in a second coded pattern that is positioned in superimposed relationship with the first [set of optical information] coded pattern, wherein the superimposed first [set of optical information] coded pattern and second [set of optical information] coded pattern results in a pattern of light.

Claim 4 is rewritten as follows:

4. A system for authentication of information, comprising:

a holographic element, the holographic element including within a planar area defined by the holographic element a first set of optical information in a first coded pattern and including within one or more portions of the planar area defined by the holographic element a second set of optical information in a second coded pattern that is positioned in superimposed relationship with the first [set of optical information] coded pattern, wherein the superimposed first [set of optical information] coded pattern and second [set of optical information] coded pattern results in a pattern of light; and

a reader, including

an aperture, the aperture defining a first location at which the reader can accomplish a reading of the holographic element,

a light source,

a detector positioned at a second location relative to the holographic element when the holographic element is at the first location.

Claim 20 is rewritten as follows:

20. A method for authenticating information, comprising:

positioning a holographic element and a reader one relative to the other, the holographic element comprising a first set of optical information in a first coded pattern within a planar area defined by the holographic element and a second set of optical information in a second coded pattern within one or more portions of the planar area defined by the holographic element that is positioned in superimposed relationship with the first [set of optical information] coded pattern, wherein the superimposed first [set of optical information] coded pattern and second [set of

optical information] coded pattern results in a pattern of light, and the reader comprising an aperture, the aperture defining a first location at which the reader can accomplish a reading of the holographic element, a light source, a detector positioned at a second location relative to the holographic element when the holographic element is at the first location;

detecting the pattern of light;

analyzing the pattern of light; and

outputting a signal representing a result of the analysis.

The following is an examiner's statement of reasons for allowance:

Claims 1-11, 14-24 are allowable over the prior art of record for at least the reason that even though the prior art discloses security holograms used for the authentication of information, said holograms disposed in a superimposed relationship at different planes within the security document, or disposed at the same plane but in a non-superimposed relationship, the prior art fails to teach or reasonably suggest, regarding claims 1-11, 14-19, 21-24, a device and a system for authentication of information, including within one or more portions of the planar area defined by the holographic element a second set of optical information in a second coded pattern that is positioned in a superimposed relationship with the first coded pattern, and regarding claim 20, a method for authenticating information, wherein a second set of optical information in a second coded pattern within one or more portions of the planar area defined by the holographic element is positioned in superimposed relationship with the first coded pattern, as set forth by the claimed combination.

Drinkwater explicitly teaches that the two holograms/coded patterns producing the two images "A" and "B" are not in a superimposed relationship (see lines 8-15, col. 10, 47-51, col. 11, see also Figs. 1H, 1E, where the relative positioning of the two coded patterns at the microscopic level is shown-adjacent positioning shown in Fig. 1H, and interleaved positioning shown in Fig. 1E). Finally, it is noted that Fig. 1A depicts the (projected) images of the two holograms, not the holograms themselves.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Leo Boutsikaris whose telephone number is 571-272-2308. The examiner can normally be reached on M-F, 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Leo Boutsikaris, Ph.D., J.D.
Primary Patent Examiner, AU 2872
August 17, 2006

LEONIDAS BOUTSIKARIS
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to be 'LB', is written over the printed name and title.